

AUG-16-2006 WED 04:37 PM FINNEGAN HENDERSON

FAX NO. 8508496666

P. 02

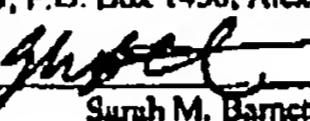
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CERTIFICATE OF FACSIMILE TRANSMISSION

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By:


Sarah M. Barnett

PATENT
Customer No. 22,852
Attorney Docket No. 07579.0015-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

Graham Edmund KELLY et al.)
Application No.: 10/600,004) Group Art Unit: 1614
Filed: June 18, 2003) Examiner: Cybille DELACROIX-MUIRHEID
For: METHODS FOR BONE) Confirmation No.: 6037
TREATMENT USING)
FORMONONETIN AND OTHER)
ISOFLAVONES (as amended))

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR REFUND UNDER 37 C.F.R. §§ 1.26 and 1.28

Applicants hereby request a refund pursuant to 37 C.F.R. §§ 1.26 and 1.28. On May 16, 2006, Applicants erroneously paid large entity RCE and extension fees of \$2,950.00. In accordance with 37 C.F.R. § 1.27(c)(3), Applicants had previously established small entity status in this application by payment of the small entity basic filing fee on November 26, 2003.

Accordingly, Applicants request a refund of \$1,475.00, which is half of the RCE and extension fees paid on May 16, 2006. This request is being made within the three-month period provided in 37 C.F.R. § 1.28.

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P. 03

Attorney Docket No. 07579.0015-01000
Application No.: 10/600,004

Please issue the refund amount of \$1,475.00 to Deposit Account No. 06-0916 and
indicate our Attorney Docket No. 07579.0015-01000.

Respectfully submitted,
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 16, 2006

By: Elisabeth Barek
Elisabeth Jaffe Barek
Reg. No. 46,797

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FAX NO. 6508496666

P. 03

Attorney Docket No. 07579.0015-01000
Application No.: 10/600,004

Please issue the refund amount of \$1,475.00 to Deposit Account No. 06-0916 and
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Respectfully submitted,
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 16, 2006

By: Elisabeth Barek
Elisabeth Jaffe Barek
Reg. No. 46,797

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P. 01



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TO

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Total Pages (including cover): 3

FROM

Name: Elisabeth Jaffe Barek
Phone Number: 650-849-6611

Verified by: smb

In re Application of:

Graham Edmund KELLY et al.
Application No.: 10/600,004
Filed: June 18, 2003
For: METHODS FOR BONE
TREATMENT USING
FORMONONETIN AND OTHER
ISOFLAVONES (as amended)

) Group Art Unit: 1614

) Examiner: Cybille DELACROIX-MUIRHEID

) Confirmation No.: 6037

Applicants enclose the following document for filing in the above-referenced application:

- 1) Request for Refund under 37 C.F.R. §§ 1.26 and 1.28 (2 pages).

If there is a problem with this transmission, notify the sender at the number above.

This facsimile is intended only for the individual to whom it is addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If you have received this facsimile in error, please notify the sender immediately by telephone (collect), and return the original message by first-class mail to the above address.

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KCC JFW

**REQUEST FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Application Number: 10/600,004	Confirmation Number: 6037
Filing Date: June 18, 2003	
First Named Inventor: Graham Edmund KELLY	
Group Art Unit: 1614	
Examiner: Cybille DELACROIX-MUIRHEID	
Attorney Docket Number: 07579.0015-01000	
Attorney Customer Number: 22,852	

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 C.F.R. § 1.114:

- a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
 - ii. Other _____
- b. **DO NOT ENTER** the amendment(s) previously filed on _____. An alternate submission is attached.
- c. Enclosed submission:
 - i. Amendment (11 pages)
 - ii. Request to Delete Originally Named Inventor Under 37 C.F.R. 1.48(b) (1 page)
 - iii. Petition for Five Month Extension of Time (2 pages)
 - iv. Sixth Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97(b) (3 pages)
 - v. IDS Form PTO/SB/08 (3 pages)
 - vi. Copies of thirty-one (31) listed documents

2. Miscellaneous

- a. Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. Other _____

3. Fees

- a. The filing fee is calculated as follows:
 - i. \$790.00 RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. \$2,160.00 for a petition for extension of time for Five (5) months
 - iii. \$130.00 for the filing of a petition under 37 C.F.R. § 1.48(b)
- b. Please charge the total fee of \$3,080.00 to our Deposit Account No. 06-0916.
- c. The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

Signature of Applicant, Attorney, or Agent Required

Name: Elisabeth Jaffe Barek	Reg. No.: 46,797
Signature: <i>Elisabeth Barek</i>	Date: May 16, 2006

CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL"

EV 847360184 US

May 16, 2006

USPS Express Mail Label Number

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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By: *Sarah M. Barnett*

Sarah M. Barnett

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Adjustment date: 09/25/2006 SDIRET1
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